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1/20/2011  
JF:JS5

Dear Committee Members,

My name is Debie Briscoe and I am representing a study group called "People For The Constitution." and a JBS Chapter. We are here today out of concern for an out of control federal government. In an effort to reign in this out of control government some are proposing a Constitutional Convention. We feel that a Constitutional Convention is asking government to do something it has already refused to do—control itself and stay within its Constitutional limits ..

. Once a sufficient number of states so direct, Article 5 states that Congress has to provide for a convention. It does not specifically restrict the limits of such a convention, nor provide a definite means of choosing delegates. Historically, when the 1<sup>st</sup> Constitutional Convention was called the delegates were under strict instructions to only amend the Articles of Confederation. Instead the convention threw the Articles out and established an entirely new government. They even changed rules of ratification. Now I am glad that they did the Articles were too weak. Nevertheless, the precedent is there and there is absolutely nothing in the Constitution to prohibit the same thing from reoccurring should a 2<sup>nd</sup> convention be called.

Unlike the first convention our problems are not caused from our system of government but from our failure to abide by it. For the past 100 years or so all three branches of the Federal Government have increasingly ignored the Constitution. This is why we are in the mess we are in today. I do not see how adding to the Constitution would make it any less ignored.

True, a term limit amendment could not be as easily ignored as a balanced budget amendment. However, term limits do nothing to curb usurpation of power by the Federal Government. They would more likely make things worse because term limits insure a steady population of lame duck congressmen serving without the pressure of the people's check—elections. This is why our founding father did not like them.

Our Constitution provides for a Federal Government of limited, specific powers and of a system of checks and balances. It was so designed because our founders understood that it is natural for men and organizations to seek more power. So they gave to the federal government only limited enumerated powers and divided those powers among three branches. They reserved all other powers to the states and to the people. Unfortunately, today all three Federal branches have usurped power and allowed other branches to do the same. It is as if they are colluding to take powers specifically reserved to the states and to the people.

Today in all 3 branches of Federal Government we have men and women in power who have openly declared their lack of respect for the Constitution and its underlying principles. Some have declared that Americans have a fetish with The Constitution, others declared it to be outdated. Others have denounced the concept "that people are endowed by their creator with inalienable rights" and believe instead that they as government agents can create rights. Almost all have ignored it when they felt it was politically expedient to do so. Others by accident or by choice are ignorant of original intent and feel that they can redefine words so the Constitution means what they want it to mean. We have congressmen with no consensus on the most basic principles that support a free society. We have a congress that has usurped power from the states and from the people. Will such a congress appoint delegates or allow the states to appoint delegates

that will curb this usurped power? It is more likely that the temperature in Florida will fall to 20 degrees below zero .

A constitutional Convention is more likely to be chaotic mess of special interests groups trying to write into the Constitution government protections for their causes and entitlements -- the spoils going to the highest bidder. Even worse, a convention could be the doorway for powerful factions who want to get rid of the Constitution altogether.

We all talk about not running to Washington to solve our problems. I do not see how asking Congress to convene Constitutional Convention is any different. It is folly to expect Washington to relinquish so easily powers it has become habituated into usurping. Asking Congress to convene a convention is asking a fox to take charge of the hen house.

We talk about taking personal responsibility and being accountable. In America the people are the government and we have only ourselves to blame for letting this usurpation continue for so long. We have the means to rectify this peacefully but we must be wise and willing to do the hard things. The Declaration of Independence states that governments are instituted to protect inalienable rights and when a government no longer does so it is the right and DUTY of the people to provide new guards of their rights. We don't need more Constitution-- we need to study the one we have in its original intent. Then we need to stand up for it in our state houses and in the ballot booths. We need to stop allowing ourselves to be bribed or blackmailed into compliance with unconstitutional laws. We need to grow up as people and as states and quit shirking our responsibilities. Until we are ready to do this no number of amendments can help us.

Therefore, we are asking this committee to vote against calling for a Constitutional Convention.

Thank you,

Debie Briscoe

A handwritten signature in cursive script that reads "Debie Briscoe". The signature is written in dark ink and is positioned below the typed name.